

CLASSIFICATION OFFICE DECISION

Title of publication: 3665.TXT

Other known title(s): Not stated

OFLC ref: 1100732.018

Medium: Computer Text File

Author: Not stated

Country of origin: Not stated

Language: English

Applicant: Comptroller of Customs

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 05 August 2011

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The publication is deemed objectionable because it promotes and supports the exploitation of children and young persons for sexual purposes.

The computer text file describes in explicit detail a sexual encounter between a teenage brother and his younger sister. Their mother encourages the sex. The descriptive nature of the text means that it is clearly intended for sexual titillation or arousal. For those with a sexual interest in children and young persons, the publication serves to legitimise and encourage that interest, while normalising fantasies about incest with children and young people.

The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990, however this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children and young persons for sexual purposes.